

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

935 WRIT PETITION NO.7536 OF 2015
WITH CA/8345/2015 IN WP/7536/2015

KONDU FAKIRA DHANGAR, LRS
VERSUS
TULSHIRAM YADAV PATIL

...
Advocate for Petitioners : Shri Bhokariker Madhav M
Advocate for Respondent : Shri Dhorde Pramod P.

...
CORAM : RAVINDRA V. GHUGE, J.
Dated: August 02, 2019
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PER COURT :-

1. Learned Advocate for the respondent / plaintiff / decree holder submits that a sale deed has already been executed. The decree is satisfied and therefore, the order of the executing Court dated 27.11.2018, dismissing the Special Darkhast No.21 of 2011 does not affect the decree holder.

2. He further points out that the petitioners, who are judgment debtors, have challenged the order directing appointment of a Court Commissioner in the Darkhast proceeding. When the Darkhast itself is dismissed, this petition is rendered infructuous.

3. Learned Advocate for the judgment debtors submits that in the

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event, in future, the decree holders move for restoration of the Darkhast proceedings, he be given the liberty to reopen the grievance set out in this petition.

4. In view of the above, this petition is disposed off with liberty as prayed for.

5. The Civil Application does not survive and stands disposed off.

(RAVINDRA V. GHUGE, J.)

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